REPORT

OF

THE SPECIAL COMMITTEE

OF

The Board of Regents

OF THE

SMITHSONIAN INSTITUTION,

ON THE

DISTRIBUTION OF THE INCOME OF THE SMITHSONIAN FUND, &c.

From the Eighth Annual Report of the Regents to Congress.

WASHINGTON:
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RESOLUTION offered by Hon. G. N. FITCH, at the meeting of the Board of Regents of the Smithsonian Institution, held March 12, 1853.

Resolved, That the subject of the distribution of the income of the Institution in the manner contemplated by the original plan of organization, be referred to a Select Committee, to consist of Messrs. PEARCE, MASON, RUSH, BACHE, CHOATE,* TOTTEN, and MAURY, for a report, at the next session of the Board of Regents, of such changes, if any, as in their opinion are desirable ; and that the same Committee be instructed to report fixed regulations relative to the reception of donations, &c.

RESOLUTION offered by Hon. JAMES MEACHAM, at the meeting of the Board of Regents, held January 28, 1854, and referred to the Select Committee on the resolution of Mr. Fitch.

Resolved, That the Secretary and other officers of the Smithsonian Institution be directed to furnish the Board of Regents with estimates of appropriations necessary to carry on the Institution the ensuing year, according to the laws for its organization.

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* Mr. Choate not being able to attend, Mr. Meacham was appointed in his place on the Committee, February 18, 1854.

REPORT OF THE COMMITTEE.

Mr. PEARCE, *Chairman of the Special Committee* appointed by the Board of Regents of the Smithsonian Institution, to which was referred the resolutions of Hon. Mr. Fitch and Hon. Mr. Meacham relative to the distribution of the income of the Smithsonian fund, etc., made the following report:*

The Committee who were directed to report whether it is desirable to make any changes in the distribution of the income of the Institution, in the manner contemplated by the original plan of organization, report as follows:

The distribution and application of the Smithsonian income should be made, so as to answer most effectually and beneficially the purposes for which the Institution was endowed and established. In making such distribution and application, the Regents should faithfully observe the requirements of the act of Congress establishing the Institution, and exercise no discretion but that which the law allows to them.

The purpose of the Institution is disclosed in the title of the act, in its preamble, and in its first section. The title is "An act to establish the Smithsonian Institution for the increase and diffusion of knowledge among men." The preamble states the bequest, by James Smithson, of all his property to the United States, to found at Washington, under the name of the Smithsonian Institution, "an establishment for the increase and diffusion of knowledge among men." It declares the acceptance of the trust, and "therefore for the faithful execution of the said trust according to the will of the liberal and enlightened donor," the first section constitutes an establishment by the name of the Smithsonian Institution "for the increase and diffusion of knowledge among men."

The fifth section enacts that the Regents shall cause to be erected "a suitable building of sufficient size, and with suitable rooms or halls for the reception and arrangement, upon a liberal scale, of objects of natural history, including a geological and mineralogical cabinet; also a chemical laboratory, a library, a gallery of art, and the necessary

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* This committee consisted of the following Regents: Hon. J. A. Pearce, Hon. J. M. Mason, Hon. Richard Rush, Hon. John W. Maury, Gen. J. G. Totten, Prof. A D. Bache, and the Hon. J. Meacham. The gentleman last named does not concur in this report.

lecture rooms," &c. This section points out certain means and instrumentalities by which the Institution is to "execute the trust" "according to the will of the liberal and enlightened donor." But it does not limit the Regents to these means and instrumentalities. A large discretion is elsewhere given to them to employ other means and instrumentalities "for the promotion of the purpose of the testator"—that is, "for the increase and diffusion of knowledge among men."

"The eighth section, in its last clause, directs an annual appropriation from the interest of the funds belonging to the Institution "not exceeding an average of $25,000 annually, for the gradual formation of a library composed of valuable works pertaining to all departments of human knowledge."

And the ninth section enacts that of "any other moneys which have accrued, or shall hereafter accrue, as interest upon the said Smithsonian fund, not herein appropriated, or not required for the purposes herein provided, the said managers [Regents] are hereby authorized to make such disposal as they shall deem best suited for the promotion of the purpose of the testator, anything herein contained to the contrary notwithstanding."

Let us see now, how far the Regents have complied with these requirements of the law.

They have caused to be erected a building, which is, in the judgment of the Board, suitable, of sufficient size, of plain and durable materials, with suitable rooms for the reception and arrangement, upon a liberal scale, of the objects mentioned in the fifth section of the act. The building, it is true, is not yet completed in all its parts. This has been the result, partly of design, and partly of accident. As the law specified no period within which the building should be completed, the time of its completion was necessarily within the discretion of the Regents. It was obvious that if they should not hurry its completion, but extend the work upon it through a series of years, they would save a large amount of accruing interest, which, when the building should be finished, might be added to the permanent fund, whereby the means of accomplishing the purposes of the testator would be largely increased. An additional reason for this was, that the structure, thus slowly and cautiously erected, would be more solid and permanent. This policy, therefore, was adopted, and it was determined that the building should be finished in five years. An accident, well known to the Board, and which in the end must prove to have been fortunate, required a change in the plan of a part of the edifice, and a larger expenditure of money. This cause has further delayed the completion of the building. But during the present year it will be finished on the liberal scale required by the law, and one hundred and fifty thousand dollars of accrued interest will be saved, to be added to the principal.

In the mean time, the Regents have made appropriations of money for the various objects specified in the fifth section of the act, by which and other means they have complied as well with the letter as the spirit of the law. A large and valuable collection of objects of natural history has been made, and for the most part, classified; a geological and mineralogical cabinet has been provided, and a chemical laboratory has been fitted up, in which researches and experiments have been

made. The building contains an apartment intended for a gallery of art; and some works of art, a valuable collection of engravings, have been purchased.

A lecture room has been finished, and for several years lectures have been given at the expense of the Institution, on scientific and literary, abstruse and popular subjects, the admission to which has been free. A library of 12,000 volumes and 8,000 pamphlets and parts of volumes has been acquired by purchase, exchanges, and other means, containing many rare and valuable works pertaining to all branches of knowledge, such as are not to be found in general libraries, and are most highly prized by men of science and research.

This is a very good beginning according to the plan for the *gradual* formation of a library, which the act points out.

Of the entire amount expended from the commencement of the Institution, a little less than one-eighth has been given to researches and publications. The rest has been applied to the special objects mentioned in the act, and to the general expenses of the Institution.

In the act establishing the Institution, Congress carefully and wisely forbore to fix the amount or proportion of the annual income which should be appropriated to any of the objects mentioned in the fifth section. They did not even determine, or limit the sum which should be expended on the building, nor have they in any manner indicated that prominence should be given to any particular means or instrumentality for increasing and diffusing knowledge. All this they have left to the discretion of the Regents, to whom they entrusted the conduct of the Institution. They have, indeed, declared that annual appropriations should be made for the *gradual* formation of a library, and have provided that such appropriations shall not exceed $25,000 in the average.

This is nothing but a limitation upon the discretion of the Regents, and can by no rule of construction be considered as intimating the desire of Congress that such sum should be *annually* appropriated. The limitation, while it prevented the Regents from exceeding that sum, left them full discretion as to any amount within the limit. The interest on the Smithsonian Fund was about $30,000 per annum, and Congress could not but know that an appropriation of five-sixths of that amount per annum would leave a remainder entirely insufficient to defray the salaries and ordinary expenses of an Institution such as was designed by the act, and that nothing would be left for the care of collections, the lectures, and other means of promoting the purpose of the testator. In short, the act points out certain instrumentalities to be employed in the execution of the trust, created by, and for the purposes specified in the will of Smithson, and gives to the Managers or Regents authority to dispose of all the income not required for the purposes specified in the act, in such manner as they shall deem best suited for the promotion of the purpose of the testator. As Congress did not determine what portion of the income was to be applied to the purposes specified in the act, it follows that such determination is to be made by those to whom they intrusted the conduct of the business of the Institution; and thus the Regents are clearly invested with the power of determining how much of that income is required respectively for library, for museum, for lectures, or for any of the objects specified in the fifth

section, and what disposition they will make of so much of the income as they do not think requisite to apply to these objects. So the Regents of 1847, who adopted the plan of organization, understood the law. So they reported to Congress. The Board of Regents, however its members have been changed from time to time, have always so understood it, and Congress, to whom they have annually and faithfully reported their proceedings, have never questioned the propriety of the construction.

In organizing the Institution, different opinions indeed were entertained by different members of the Board, as to the most effectual means of promoting the purpose of Smithson. The conflict of opinions resulted in the adoption of certain resolutions, which have been called the "compromise resolutions." These, while they recognize the intention of Congress, and the duty of the Regents, to provide for the accumulation of specimens of art and objects of natural history, and the gradual formation of a library, pertaining to all branches of knowledge, &c., also declare it to be expedient, and demanded by the will of Smithson, that in the plan of organization, the increase of knowledge by original research should form an essential feature; that for this end premiums should be offered for original papers containing positive additions to the sum of human knowledge, and that these and other suitable papers should be published in transactions of the Institution periodically, or occasionally, &c. The seventh of these resolutions is in these words:

"*Resolved*, That for the purpose of carrying into effect the two principal modes of executing the act and trust pointed out in the resolutions herewith submitted, the permanent appropriations out of the accruing interest shall, *so soon as the buildings are completed*, be annually, as follows; that is to say:

"*First.* For the formation of a library composed of valuable works pertaining to all departments of useful knowledge, and for the procuring, arranging, and preserving of the various collections of the Institution, as well of natural history, and objects of foreign and curious research, and of elegant art, as others, including salaries and all other general expenses connected with the same, excepting those of the first complete arrangement of all such collections and objects as now belong to the United States in the museum of the Institution, when completed, together with one-half of the salary of the Secretary, the sum of fifteen thousand dollars.

"*Secondly.* For the preparation and publication of transactions, reports, and all other publications of the Institution, including appropriations for original researches, and premiums for original papers; for the delivery of all lectures and payment of all lecturers, and for all general expenses connected with said lectures and publications, together with one-half of the salary of the Secretary, the remainder of the annually accruing interest; it being understood that all general and incidental expenses not specially connected with either of the above two great divisions of the plan of the Institution shall be equally divided between them."

It will be seen that this division of the income of the Institution between the two principal modes of executing the trust was to be made so soon as "*the buildings were completed*," and not before.

As the building is not completed, this division is not yet obligatory under the compromise resolutions. For some years the annual appropriations for the purposes of the Institution were specific, and were applied accordingly. But during the last two years they have been general, and a discretion has been exercised by the Secretary and the Executive Committee, which has resulted in applying to researches, publications, and lectures, an amount somewhat larger than that which has been applied to the library, museum, &c. But this is clearly no violation, as has been charged, of a compromise which is not by its very terms to go into effect until the completion of the building.

The commitee think it desirable that the appropriations should be specific, and have already so reported to the Board by a resolution submitted on the 11th of March, 1854; and at the last meeting of the Regents the Executive Committee submitted estimates of appropriations in detail for the present year.

Before expressing an opinion on *these resolutions*, the committee deem it their duty at this time to remark upon the plan which was discussed seven years ago, but which is now revived, of devoting the greater part of the income to the accumulation of a great library, thus either abandoning the active operations of research and publications, or so restricting this means of increasing and diffusing knowledge as to deprive it of all sensible value.

It has already been remarked that the language of the eighth section which directs the gradual formation of a library, is not mandatory as to the amount which shall be thus expended, and that the ninth section authorizes the Regents, after applying so much of the income as may be required for the purposes mentioned in the act, to dispose of the residue of the interest upon the Smithsonian fund in such manner "as they shall deem best suited for the promotion of the purpose of the testator, anything herein contained to the contrary notwithstanding." It is manifest, from what has been said before, that these sections of the law leave to the Regents a large discretion as to the amounts to be applied to the objects specified in the act, and in the choice of other means for promoting the purpose of the testator.

What, then, are the considerations which should govern them in rejecting this plan, which proposes a great library as the best and chief, if not the only, means of executing the trust created by the will of Smithson, and fulfilling their own duty under the law?

The "increase and diffusion of knowledge among men" are the great purposes of this munificent trust. To increase knowledge implies research, or new and active investigation, in some one or more of the departments of learning. To diffuse knowledge among men implies active measures for its distribution, so far as may be, among mankind.

Neither of these purposes could be accomplished or materially advanced by the accumulation of a great library at the city of Washington. This would be to gather within the walls of a building here those fruits of learning which had been reaped elsewhere. It would be the *hiving* of knowledge, not its increase and diffusion. It would be the collection of what philosophical inquirers, men of research, of observation, and of original thought had ascertained, conceived, or invented, and already published to the world. But it would not of itself add to the sum of

human knowledge, it would not increase the stores of learning, but only bring them together. It would develop no new truths, reveal no hidden laws of nature, but only contain the record of what might be already known; so that in no proper sense could it be said to increase knowledge. Neither would it diffuse knowledge, except within a limited sphere. The Institution would necessarily be local, for although it might aid the few men of research residing in Washington, and such students and investigators as occasionally visited the city, it would fail to accomplish the more extensive purpose of the testator and of the law, since it could not be expected to draw hither the great body of such men. These must always be scattered over the country, engaged in pursuits which require their residence elsewhere, and with only occasional opportunities of aiding their inquiries by resort to the library of the Smithsonian Institution. While, therefore, a well selected library of valuable books pertaining to all departments of learning may well be one of the means employed by the Institution, its purpose requires other instrumentalities by which knowledge may be increased and diffused among men. We must never forget that both the will of Smithson and the act of Congress recognize that, as a *nation* is appointed the great dispenser of the fruits of his munificence, so these benefits are to be *universal*, and their recipients to be *men* everywhere and in all time.

If the language of the will had been "to increase and diffuse knowledge among *the people of the United States*," a library would be but a feeble and imperfect instrument as an active agent even for that limited purpose. The accumulation of books in the political centre of a great country, or even in the centre of population of a numerous people, would no doubt gratify the pride of the nation, and be attended with some profitable results. But such a library would not ensure mental activity to enquirers who should live remote from its locality, and its relation to all increase of knowledge would be merely incidental. It would have no effective operation in the thirty-one States which constitute the nation, or people of the Union, and instead of being diffusive in its nature, would be centralizing in its influence and passive in its character. Even if the will and the act of Congress were limited by the terms supposed, by no fair construction could the formation of a library be considered as an execution of the trust. But when we consider that the language of the will is not thus limited, and that the benefits of the bequest are intended for *mankind*, we cannot imagine how the establishment of a library could be considered as corresponding to the requisitions of a purpose so wide and liberal. That Smithson did not intend a library to be the prominent feature in the Institution contemplated by his bequest, may be inferred from the fact that his will did not mention it, when a single word would have been sufficient for this purpose.

And that Congress did not design to indicate a library as the principal object of the establishment which they founded by law to carry out the purpose of Smithson, will be made to appear by an examination of the enactment.

In the construction of a law of Congress, the opinions expressed in the speeches of some of those who voted for it cannot be taken as the opinion of all or even of the major part of them, but the act must be

construed according to the general import and evident intention of all its parts.

If we can construe the law from its own provisions, it would be exceedingly unsafe and improper to interpret it by reference to the opinions of a portion only of those who voted for it, being the minor part of them. To do this would be to make the *opinions* of a few control the acts and intentions of the majority as expressed in the law, and in effect to give to those few the law making ower. In the present case the evident intention was to carry out the pur ose of Smithson's will, name ly: "the increase and diffusion of knowledge among men."

The title of the act, its preamble and provisions, would have been palpably absurd, if their object had been only or chiefly to found a great library. To describe a library as an institution "for the increase and diffusion of knowledge among men," would be a preposterous abuse of terms. So, too, "to erect a suitable building of sufficient size, with suitable rooms or halls for the reception and arrangement, upon a liberal scale, of objects of natural history, geological, mineralogical, and botanical specimens, classed and arranged so as to facilitate the study of them, with a chemical laboratory, lecture rooms, &c.," as provided in sections 5 and 6, is wholly inconsistent with the idea of an institution, of which a library is to be the principal agent.

It is true that the eighth section of the act authorizes an application of an annual sum, not exceeding $25,000, for the gradual formation of a library. This is in great disproportion to the various objects before recited in the act, and if it had been mandatory, would have made the general authority and discretion given to the Regents in the ninth section, absurd and nugatory, and would indeed have equally defeated the other provisions before mentioned. Such an appropriation, if made, would establish a great library, but not such an institution as is indicated by the title of the bill, or warranted by its various provisions. Instead of a Secretary with assistants, it should have provided for a Librarian, with an assistant as secretary, and assistant librarians. Instead of providing for a building on a liberal scale, with suitable rooms or halls for a chemical laboratory, lecture rooms, &c., not indicating the library as of paramount importance, but according to the order of enumeration, placing it *after* other objects, the law would have declared it to be of primary importance, and designated the other objects as incidental or subsidiary to the Library. The act, in its various terms and provisions, does not seem to have been the result of plans entirely harmonious and consistent, but bears some marks of conflicting opinions; and the large discretion allowed in the ninth section appears to have been intended to give to the Regents the authority to reconcile and determine those difficulties which Congress could not avoid or provide for, to their own satisfaction.

Nothing, however, seems to be clearer than that the Legislature did not intend a public library to be the principal instrument of the Institution. The third section enacts that "the business of the Institution shall be conducted at the city of Washington by a Board of Regents." The terms of Smithson's will requires that Washington should be the locality of the Institution; but, if this section had reference to a public library, absorbing almost the whole interest of the fund, would

such language have been employed? If a library at Washington was to be established, it was wholly unneeessary to provide that the business of the Institution should be conducted there, since the business of a library must be eonducted where it is placed. The use of this language would seem to imply active transactions and not to refer to books. The application of $25,000 annually, (five-sixths of the whole income at the date of the act) to the purchase of books, would be inconsistent with, and subversive of the whole tenor of all that precedes the eighth section. Section ninth is singularly comprehensive, and appears to indicate a conseiousness on the part of the framers of the bill, that its provisions might be proved by experience to be incongruous.

For this they provided the true remedy by investing the Regents with full power to use their judgment in the premises, subject only to the purpose of the will of Smithson, and so much of the law as was mandatory and peremptory, "all other provisions to the contrary, notwithstanding."

On the whole, therefore, the Committee think that neither the law nor the will of Smithson required the Regents to consider a great library as the paramount object of the Institution.

Its purpose requires means of exciting and sustaining research, of stimulating and directing original enquiries, the results of which constitute an increase of knowledge, and the publication of which diffuses it.

Scientific researches are often supposed by the uninformed to be of little or no real importance, and indeed are frequently ridiculed as barren of all practical utility. But nothing is more mistaken than this. The most valuable and productive of the arts of life, the most important and wonder-working inventions of modern times, owe their being and value to scientific investigations. By these have been discovered physical truths and laws, the intelligent application of which to practical inventions has given immense benefits to the world. The germs of these valuable improvements and inventions have been found and developed by scientific research, the original forms of which have often seemed to the many to be as idle and useless as they were curious. A proposition relating to the pendulum, which for many years remained only a curious theoretical relation, ultimately furnished a unit for the standard measures of States and nations. The discovery that a magnetic needle could be moved by a galvanic current, seemed for a long time more curious than useful, and yet it contained the germ of all that was afterwards developed in the telegraph. It has been well remarked that numerous applications and inventions always result from the discovery of a scientific principle, so that there are many Fultons for every Franklin.

There is no branch of industrial art which does not owe for the most part its improved processes to such investigations, although the artizans who employ them are often ignorant of their true source. Smithson, who was himself a man of science and research, and a contributor to the philosophical transactions of the Royal Society, well knew this. The members of Congress who framed the law were not ignorant of it, and the provisions for a chemical laboratory, and collections of natural

history proved that they looked to the prosecution of such inquiries under the auspices of the Smithsonian Institution.

Wisely, therefore, did the first Board of Regents propose, in order to INCREASE KNOWLEDGE—

First. To stimulate men of talent to make original researches, by offering suitable rewards for memoirs containing new truths, and to publish these and such other papers of suitable character as should be offered to the Institution.

Second. To cause particular researches to be made by competent persons.

And in order to DIFFUSE KNOWLEDGE—

First. "To publish occasionally a series of practical reports on the progress of the different branches of knowledge."

Second. "To publish occasionally separate treatises on subjects of general interest."

The results which have been produced by the Institution have received the approbation of the learned in every part of the civilized world, and fully justify the wisdom of the plan adopted by the Regents, and successfully carried into operation by the Secretary.

As a proof of this, we need only state the following facts given in the last report of the Regents to Congress.

"The Institution has promoted astronomy, by the aid furnished the researches which led to the discovery of the true orbit of the new planet Neptune, and the determination of the perturbations of this planet and the other bodies of the solar system, on account of their mutual attraction. It has also aided the same branch of science by furnishing instruments and other facilities to the Chilian expedition, under Lieutenant Gillis; and by preparing and publishing an ephemeris of Neptune, which has been adopted by all the astronomers of the world.

"It has advanced geography, by providing the scientific traveller with annual lists of the occultations of the principal stars, by the moon, for the determination of longitude; by the preparation of tables for ascertaining heights with the barometer; and by the collection and publication of important facts relative to the topography of different parts of the country, particularly of the valley of the Mississippi.

"It has established an extended system of meteorology, consisting of a corps of several hundred intelligent observers, who are daily noteing the phases of the weather in every part of the continent of North America. It has imported standard instruments, constructed hundreds of compared thermometers, barometers, and psychrometers, and has furnished improved tables and directions for observing with these instruments the various changes of the atmosphere, as to temperature, pressure, moisture, &c. It has collected, and is collecting, from its observers, an extended series of facts which are yielding deductions of great interest in regard to the climate of this country and the meteorology of the globe.

"The Institution has advanced the science of geology, by its researches and original publications. It has made a preliminary exploration of the remarkable region on the upper Missouri river called the Bad Lands, and is now printing a descriptive memoir on the extra-

ordinary remains which abound in that locality. It has assisted in explorations relative to the distribution in this country of the remains of microscopic animals found in immense quantities in different parts of the United States.

"It has made important contributions to botany, by means of the published results of explorations in Texas, New Mexico, and California; and by the preparation and publication of an extended memoir, illustrated with colored engravings, on the sea-plants of the coast of North America.

"It has published several important original papers on physiology, comparative anatomy, zoology, and different branches of descriptive natural history; and has prepared and printed, for distribution to travellers, a series of directions for collecting and preserving specimens.

"It has advanced terrestrial magnetism, by furnishing instruments for determining the elements of the magnetic force, to various exploring expeditions; and by publishing the results of observations made under its direction, at the expense of the government.

"It has collected and published the statistics of the libraries of the United States; and perfected a plan of stereotyping catalogues, which will render effective, as a combined whole, all the scattered libraries of the country.

"The Institution has also been instrumental in directing attention to American antiquities, and has awakened such an interest in the subject as will tend to the collection and study of all the facts which can be gathered relative to the ancient inhabitants of this continent. It has also rendered available for the purposes of the ethnologist and philanthropist the labors of our missionaries among the Dakotas, by publishing a volume on the language of this tribe of Indians, and has done good service to comparative philology by the distribution of directions for collecting Indian vocabularies.

"It has established an extended system of literary and scientific exchanges, both foreign and domestic, and annually transmits, between the most distant societies and individuals, hundreds of packages of valuable works. It has presented its own publications, free of expense, to all the first-class libraries of the world, and thus rendered them accessible, as far as possible, to all persons who are interested in their study. No restriction of copyright has been placed on their republication; and the truths which they contain are daily finding their way to the general public, through the labors of popular writers and teachers. The distribution of its publications and its system of exchanges has served not only to advance and diffuse knowledge, but also to increase the reputation, and, consequently, the influence of our country; to promote a kindly and sympathetic feeling between the New World and the Old—alike grateful to the philosopher and the philanthropist.

"These are the fruits of what is called the system of active operations of the Institution, and its power to produce other and continuous results is only limited by the amount of the income which can be appropriated to it, since each succeeding year has presented new and important fields for its cultivation. All the anticipations indulged with regard to it have

been fully realized; and after an experience of six years, there can now be no doubt of the true policy of the Regents in regard to it."

Reports of a more popular character have been published, or are in preparation, which are well calculated to diffuse knowledge. Such is the report on the recent improvements in the chemical arts, by Messrs. Booth & Morfit, prepared and published under the direction of the Institution. The Secretary has said of it "that though chiefly intended to benefit the practical man, yet it will be found interesting to the general reader, as exhibiting the cotemporaneous advance of science and art, and the dependence of the latter upon the former for the improvemenr of its most important processes." Among the subjects of which it treats, may be mentioned fuel and furnaces, glass-making and pottery, cements, metals and their manufacture, chemicals, textile fabrics, mineral and organic manures. This work has been stereotyped, and besides those which are distributed on the plan of exchange, copies are offered for sale at the mere cost of printing, paper, and commission. Another report which is in preparation, on the forest trees of North America, giving their economical and ornamental uses and values, their history, mode of propagation, &c., &c., will supply to agriculturalists a work of great interest and importance which has long been a desideratum. Other reports have been prepared and will be ready for the press as soon as the funds can be appropriated for printing them.

The Committee need not repeat in detail all the parts of the plan of organization, but may mention that it included the exchange of the published transactions of the Institution, with those of literary and scientific societies and establishments; and provided for a museum and library, to consist of a complete collection of the transactions and proceedings of all the learned societies in the world, of the more important current periodical publications and of other works necessary to scientific investigations, thus employing the instrumentalities pointed out in the law, as means of increasing and diffusing knowledge, entirely consistent with, and necessary to, the plan of research and publication.

This plan is no longer experimental; it has been tested by experience; its success is acknowledged by all who are capable of forming a correct estimate of its results, and the Institution has every encouragement to pursue steadily its system of stimulating, assisting, and publishing research.

Whether the equal division of the income of the Institution, according to the plan of the compromise resolutions, should be observed after the completion of the building, is a question submitted to your Committee for report, and proper to be decided by the Board during the present year. The Committee think that while moderate appropriations should be annually made for the gradual increase of the library, and for other objects specified in the fifth section of the act establishing the Institution, so as to carry out in good faith the intention of Congress, it is not advisable to make the equal division of the income as proposed by the compromise resolutions.

The public generally, and even the Regents, most probably, do not know how small the funds of the Institution are in proportion to what is required of it, and the expense necessarily connected with so large a building.

The Secretary has stated in his Report that the general expenses, viz: meetings of the Regents and Committees, lighting and heating of the building, postage, transportation, stationery, general printing, apparatus, incidentals, and general salaries, have gradually increased, and will grow larger when the building shall be completed and entirely occupied. Last year these expenses amounted to $12,000. Besides this, the salaries of the assistants and pay of attendants in the library and museum are $5,740 per annum.

The salaries are as follows:

General Salaries.

That of the Secretary, (per annum,)			$3,500
Clerk			1,000
Book-keeper			200
Janitor			400
Laborer			250
Watchman			365
			5,715
Salary of assistant in charge of the library	$2,500		
An assistant to the assistant in the library	600		
Another assistant	540		
		$3,640	
Salary of assistant in charge of the museum		2,000	
Assistance and labor in museum		100	
			5,740
Total of permanent salaries at the present time			11,455

Together, the salaries and general expenses before mentioned amount to more than half the interest of the original fund, and to nearly half of the interest on that fund, augmented by $150,000 of accumulated interest, which the regents propose to add to it so as to make the permanent fund $665,000. The whole or the greater part of the interest on this addition to the original fund will be required during the present year for the building, and when that shall be finished, a considerable sum will be necessary to fit up and furnish the great central portion which is to be chiefly occupied by the library and museum. It may be assumed that not less $15,000 will be demanded for this purpose. But supposing the building to be completed and furnished, and the whole income at command for the operations of the Institution, and assuming that the salaries and general expenses will not increase, but remain as they were last year, at $17,740, there will be at the disposal of the Regents for all operations and purposes, including lectures, researches, publications, purchase of books for the library, binding, explorations for the benefit of the museum, apparatus, and the purchase of objects of art, a sum between $22,000 and $23,000. It will readily be perceived how inadequate this sum is to the rapid accumulation of a library, of collections for the museum and gallery of art, for lectures and those active operations which lead directly to the increase and diffusion of knowledge. Even this fund may be expected to be diminished by the greater expense which will attend the occupation of the entire building and the increased and constantly increasing collections.

The museum increases so rapidly by the deposit of Government col-

lections, by donations, exchanges, and the receipt of specimens from special explorations aided by the Institution, that very small, if any, annual appropriations are required for it. But the expense of the care and exhibition of an increasing collection swells from year to year, while the Smithsonian funds are not so increased. The great object of the museum should be to furnish to men of science, eminent in their several departments, the means of advancing knowledge in these departments, by submitting specimens of new objects to their examination. If the expenditure could be borne, it would scarcely be desirable to increase the number of officers connected with the museum, so that the various branches of natural history might be fully represented, but considering the limited funds of the Smithsonian Institution, such an idea is not to be entertained.

On the contrary, the collections made should, in general, at all events, be referred for examination and description to the men most eminent in the country, and the results should be published in a manner worthy of their labors, by the Institution.

A larger but still a moderate appropriation for the library, varying as circumstances may require, should be annually made. It may be desirable, occasionally, to make larger investments in books, as when a library of special value and peculiar suitableness may be in the market, and within the means of the Institution. But this should be left to the discretion and sound judgment of the Regents at the time.

It is not believed to be advisable to accumulate in the Smithsonian Institution great masses of books, without reference to their peculiar character and value. What we want, and what the act of Congress contemplates, is not a collection of every thing which learned dulness and literary folly as well as real wisdom and sound science have put into print, a vast and unwieldly repertory, in which the trash as well as the precious may be found, but a library of *valuable* books pertaining to all departments of human knowledge. The exchanges will gradually furnish us with much that answers to this description, and moderate appropriations will supply, quite as rapidly as necessary, whatever besides may be requisite to constitute a valuable library of research in all departments of human knowledge. The library now consists of 12,005 volumes, besides 8,095 pamphlets and parts of volumes, and 1,874 maps, and 1,431 engravings.

In his report to the Secretary, of January, 1853, Professor Jewett stated that the library had nearly doubled in size during the year 1852, and that its greatest increase had been by exchanges. He said "they may be considered as the first fruits of a system of scientific and literary exchange, established and sustained by the Institution. They show, also, that the benefits derivable from its connexion with the system of active operations had not been over estimated.

"A considerable portion of the money expended in publications returns in the shape of books for the library. These again are constantly increasing the efficiency and interest of the publications. The value of the books received, by exchange, cannot be estimated by their number, or even their nominal price.

"They are works of the first importance to the scientific student,

and which it is very difficult to procure by purchase, even with large funds at command."

Professor Baird estimated the value of the works thus received, during the year 1852, at from $4,000 to $5,000. If we estimate the future receipts from the system of exchange at half that sum annually, and suppose an appropriation in money of equal amount for the purchase of books, the growth of the library will be quite as rapid as was that of the library of Congress during the twenty-five years prior to the late fire, and its annual increase in value more than double that of the Congressional Library before the period mentioned. For several years before 1825, the ordinary appropriations of Congress for their library were not more than $2,000 per annum. Since that period they have been $5,000.

The Committee of Organization, in their report submitted in 1847, recommended such a selection of books as would "make the Smithsonian Library chiefly a supplemental one," and "to purchase for the most part valuable works which are not to be found elsewhere in the Union."

Of course this was not to be a universal rule, and not to exclude standard works of authority and reference. They particularly desired to see the library so supplied with important works on bibliography, so that it might become the centre of literary and bibliographical reference for the whole country. This desire has always been entertained by the Regents, and much has already been done towards this object. The collection of printed and manuscript catalogues has already been commenced with this view, and should be steadily followed up. It is believed that the appropriations suggested, together with the exchanges and occasional special appropriations, will, in a reasonable time, not only secure this object, but make the library the most important collection of valuable books, pertaining to all departments of knowledge, to be found in our country.

Suggestions have been made to the Committee of certain alterations in the organization of the Institution, which your Committee think not warranted by the letter and spirit of the law, and in conflict with the seventh section, which defines the duties and powers of the Secretary. That section admits of only one interpretation. Its terms are direct and explicit, and its objects are expressly and pointedly set forth. The entire property of the Institution is placed by it in the Secretary's hands, and he is distinctly constituted the responsible agent of the Board of Regents. He is "to make a fair and accurate record of all their proceedings," "to take charge of the building and property of the Institution," to discharge the duties of librarian and keeper of the museum. This language clearly shows the intention of the framers of the law to secure unity of action, to admit of no separate and independent departments, as is often the case in other institutions All the duties enumerated are devolved solely on the Secretary, and though other persons may be employed, they are merely *his* assistants, the offices being emphatically one. The Secretary alone is authorized to act, and if the business of the Institution demanded no more than the mind and labor of one man might be competent to perform, there would be no occasion for the employment of any one else.

The law is declaratory and positive in charging the Secretary with the enumerated duties, and therefore invests him and him alone with the corresponding powers. But as it must have been manifest that no Secretary could be able of himself to perform personally every thing required for the discharge of his enumerated duties, provision is made for aid to him, in the clause which says that he "may, with the consent of the board, employ assistants," &c.

The positions of the persons so employed are determined by the word which designates them in the clause authorising their employment. They are called "*assistants.*" To whom? Not to the Regents, but to the Secretary. Their position is necessarily subordinate; and as their duties are those of assistants to their principal, they can no more be independent of him than they can be superior to him. This construction is so manifestly proper, that it would seem to require no argument to justify it. But if anything further were wanted, it may be found in the fact that the *Secretary* is to employ them in and about that very business with which *he* is charged and for which *he* alone is responsible. The character of this part of the section is permissive. He is not *required* to employ any one, but is permitted to employ persons to assist him, provided he satisfy the Board that their services are neeessary as aids to him.

In another part of the same section provision is made for the payment and, if need be, the removal of the Secretary and his assistants, and in this connexion they are spoken of as officers, but by no ingenuity of construction can that word, in this connexion, be held to assign them special duties or confer any separate authority.

Thus careful has Congress been to provide an efficient system of operations which can only come from harmony of purpose and unity of action.

This view of the intention of Congress, so clearly expressed in the law, would be directly contradicted by the plan which has been suggested, of organizing the Institution definitely into several departments, placing at the head of these departments different assistants, establishing their relative positions, prescribing distinct duties for them, assigning certain shares of the income to be disbursed by them, and stating their authority, privileges, and remedies for infringement of their official rights, or of the interests entrusted to their care. All this would tend not to secure a loyal and harmonious co-operation, to a common end, of the assistants with the Secretary, but to encourage rivalry, to invite collision, to engender hostility, to destroy subordination, to distract the operations of the Institution, to impair its efficiency, and to destroy its usefulness.

The Committee are satisfied too, that the expenditures of the Institution would be unprofitably increased by organizing it into several departments, with authority to the head of each department to expend the money appropriated to it. The tendency would be to more subdivisions of duty, to an increase of assistants, by the introduction first of temporary and then of permanent employees, until, as the collections grew larger and the persons charged with their care became more numerous, the greater portion of the income would be absorbed in salaries. Thus the munificence intended to increase and diffuse knowledge

among mankind, would be chiefly expended in salaries and official emoluments.

Already the Committee think it would be well to consider whether it might not be consistent with the proper working of the Institution to limit and reduce some of these expenses.

While the Committee desire to preserve and increase the library and museum, as already stated, they think it would be well to repeal the seventh resolution, passed by the Board of Regents on the 26th January, 1847, which has already been recited.

They recommend that, in future, the appropriations should be made without reference to any fixed rule of distribution or division between the different operations and objects of the Institution, and that the Board, while making specific appropriations, should apportion them according to their opinion of what is necessary and proper, giving to each object such sum as its intrinsic importance and a compliance in good faith with the law may seem to demand.

Thus they will be enabled to economize by postponing or limiting some operations and preferring others, by applying the funds to those objects which at the time appear most pressing, and which promise the most prompt, far-reaching, and beneficial action.

In conclusion, the Committee adopt the following remarks and recommendations, which they extract from a paper submitted to them by the Secretary, and desire that they may be considered as part of this report:

"If one-fourth of the whole income is devoted to the museum, additional assistants will be required for the care and management of the specimens, while the withdrawal of Prof. Baird from the publications and exchanges will require more help in that quarter.

"Besides the necessary expenditure for cases and furniture for the library, appropriations may be made for carrying on the catalogue system; for printing reports on libraries; for the publication of a library manual; for the preparation and publication of bibliographies; for completing sets of transactions, and the purchase of other books for the operations of the Institution; also for printing a catalogue or list of books in the library.

"In addition to the sum which will be necessarily required for the cases and furniture of the museum, a small sum may annually be appropriated for collecting particular desiderata in natural history, to be presented to other institutions as well as preserved in this; for purchasing instruments and models to illustrate particular branches of knowledge, or to assist in the prosecution of special lines of research, which may serve as samples to artizans in this country, or be used in investigations.

"Models may also be obtained for multiplying casts of the most celebrated specimens of ancient and modern art.

"Appropriations for all these objects cannot be made in the same year, but discretion, as I have said before, should be used as to the time when it would be the most advisable to make the expenditure in each particular case.

"As few operations as possible ought to be carried on in the building of the Institution. Printing, stereotyping, engraving, &c., can be

done at a cheaper rate by contract; these require expensive superintendence; and workmen, as a general rule, cannot be expected to do as much for public institutions as for a private individual. Besides this, much time must be lost in the interval of the publication of the different articles, and when it is necessary, on account of the exhaustion of the appropriation, to stop for the year, this can only be done by disbanding the workmen, while the interest on the cost of the apparatus remains.

"These remarks also apply to calculations and reductions of observations, which, in many cases, can be distributed to professors in colleges, who, for a small addition to their salaries, will furnish results which could not be procured in the Institution for many times the same sum.

"The maxim stated in the programme, namely, that few individuals ought to be permanently supported by the Institution, should be constantly kept in view, and the greatest caution exercised in adding new members to the permanent corps.

"The Institution, in order to produce the greatest amount of useful effect with a given expenditure of income, must be a unit in plan and a unit in purpose. Each assistant must not merely have regard to the advancement of his own speciality, but the good of the whole, and though he may be assigned a specific duty, he should be ready and willing, at the call of the Secretary, to render service in any other. Without a system of government which will ensure this, not only the usefulness of the Institution will be greatly abridged, but its very existence jeoparded."

The committee submit to the Board the following resolutions:

Resolved, That the seventh resolution passed by the Board of Regents on the 26th of January, 1847, requiring an equal division of the income between the active operations and the museum and library, when the buildings are completed, be and it is hereby, repealed.

Resolved, That hereafter the annual appropriations shall be apportioned specifically among the different objects and operations of the Institution, in such manner as may, in the judgment of the Regents, be necessary and proper for each, according to its intrinsic importance, and a compliance in good faith with the law.

Respectfully submitted:

JAMES A. PEARCE, *Chairman.*

